

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

LOREN MICHAEL WILLIAMS

PETITIONER

Louisiana Department of Corrections #313801

River Bend Detention Center #219864

VERSUS

CIVIL ACTION NO. 1:14cv257-HSO-RHW

JIM HOOD, et al.

RESPONDENTS

**ORDER ADOPTING MAGISTRATE JUDGE'S [15] PROPOSED
FINDINGS OF FACT AND RECOMMENDATION, AND DISMISSING
PETITION FOR WRIT OF HABEAS CORPUS AS MOOT**

This matter comes before the Court on the Proposed Findings of Fact and Recommendation [15] of United States Magistrate Judge Robert H. Walker, entered in this case on April 6, 2015. Magistrate Judge Walker recommended that this case be dismissed as moot. Proposed Findings of Fact and Recommendation [15] at 1. The Acknowledgment of Receipt [16] of certified mail containing the Proposed Findings of Fact and Recommendation was executed on April 13, 2015. To date, Petitioner has not filed any objection to the Proposed Findings of Fact and Recommendation.

Where no party has objected to a magistrate judge's report and recommendation, the Court need not conduct a de novo review of it. 28 U.S.C. § 636(b)(1) ("a judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Even if the Court were to conduct a de novo review, dismissal of the Petition for Writ of Habeas Corpus [1] is warranted. The Petitioner had sought relief, pursuant to

28 U.S.C. § 2241, from a detainer lodged in Pearl River County, Mississippi, in that the detainer adversely affected the status of his incarceration in the Louisiana Department of Corrections system. Pet. [1]; Reasons to Drop Detainer in Mississippi [10]. On January 22, 2015, Respondent filed a Motion [13] to Dismiss as Moot the Petition, stating that an Order of *Nolle Prosequi* [13-2] had been entered and the detainer was no longer in place. Mot. [13] at 1-2. On February 18, 2015, Williams filed his unsigned Petition [14] to Dismiss the Habeas Corpus in which he states that, as long as the charges against him are dropped, he “accept[s] the Attorney General’s petition to dismiss as moot.” Pet. [14] at 2.

After review of the record, the Court, being fully advised in the premises, finds that the Proposed Findings of Fact and Recommendation [15] is neither clearly erroneous nor contrary to law, and should be adopted as the opinion of this Court. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Proposed Findings of Fact and Recommendation [15] of United States Magistrate Judge Robert H. Walker, entered in this case on April 6, 2015, is adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, this case is **DISMISSED** as moot. A separate judgment will be entered in accordance with this Order, as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED AND ADJUDGED, this 1st day of May, 2015.

s/ Halil Suleyman Ozerden
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE